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12 UNITED STATES DISTRICT COURT
13 DISTRICT OF OREGON
14 PORTLAND DIVISION
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16 PORTLAND COMMUNITY COLLEGE,

17 Plaintiff,

18 v.

19 UNITED STATES DEPARTMENT OF
20 VETERANS AFFAIRS; and DENIS
21 MCDONOUGH, in his official capacity as
Secretary of the United States Department
of Veterans Affairs,

22 Defendants.
23

Case No. 3:21-cv-01658-AC

[PROPOSED] ORDER ON JOINT STATUS
REPORT

24 Plaintiff Portland Community College (“PCC”) and defendants the United States
25 Department of Veterans Affairs and Denis McDonough’s (“VA”), (together, the “Parties”) joint
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1 status report (ECF 49) came before the Court for hearing before Magistrate Judge Jeff Armistead
2 on May 24, 2023.

3 PCC was represented by its counsel, Stacey A. Martinson of Miller Nash LLP.
4 The VA was represented by its counsel, Patrick J. Conti of the U.S. District Attorney's Office.
5 The Court has considered the records, pleadings, and files of this case, and oral arguments from
6 the parties. Based on the records and files herein, and the oral argument of the parties, the Court,
7 being fully advised, hereby **ORDERS**:

8 A. By **August 24, 2023**, the VA will certify and lodge the Administrative Record
9 with the Court and serve the Administrative Record on PCC. The VA will file the Administrative
10 Record with the Court through a method compliant with LR 5-2(f) and provide PCC with an
11 unredacted copy of the Administrative Record, subject to entry of a protective order. The Parties
12 anticipate that stipulation to the authenticity and foundation of the documents produced in the
13 Administrative Record for this case will not be necessary.

14 B. The scope of the Administrative Record referenced above shall consist of all
15 documents and material directly or indirectly considered by VA's decision-makers for the
16 following alleged final agency actions: (1) the findings in the VA's March 2018 Report as
17 defined in the Third Claim for Relief of PCC's Second Amended Complaint ("SAC"); and (2)
18 the retroactive revocation or disapproval of PCC's flight programs as defined in the Fourth
19 Claim for Relief of PCC's SAC.

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1 C. By **October 24, 2023**, PCC will notify VA of any objections to the
2 Administrative Record. The Parties will meet and confer in good faith to try to resolve any
3 disputes regarding the Administrative Record before seeking judicial intervention.
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